

THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE FILING BY QWEST CORPORATION OF ITS NOTICE OF MODIFICATION TO THE STATEMENT OF GENERALLY AVAILABLE TERMS AND CONDITIONS (SGAT) EXHIBIT B, NOTICE OF QWEST'S CHANGES TO ITS PERFORMANCE ASSURANCE PLAN AND MOTION FOR TIER DESIGNATION, VOLUME DIFFERENTIATED BENCHMARK AND MEASUREMENT STABILIZATION PERIOD FOR THE REVISED PID PO-20 TC04-110

IN THE MATTER OF THE FILING BY QWEST CORPORATION OF ITS NOTICE OF DELETION OF EXHIBIT B-1 AND MODIFICATIONS TO EXHIBIT B OF ITS STATEMENT OF GENERALLY AVAILABLE TERMS AND CONDITIONS (SGAT) AND MOTION TO MODIFY THE QWEST PERFORMANCE ASSURANCE PLAN FOUND IN EXHIBIT K OF ITS SGAT TC04-201

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Transcript of Proceedings
October 26, 2004

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BEFORE THE PUBLIC UTILITIES COMMISSION,
ROBERT SAHR, CHAIRMAN
GARY HANSON, VICE CHAIRMAN
JIM BURG, COMMISSIONER

ORIGINAL

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PRECISION REPORTING
L I M I T E D

1 APPEARANCES

2 Melissa Thompson, Qwest
3 Laurel Burke, Qwest

4 APPEARANCES BY TELEPHONE

5 TOM WELK
6 RYAN TAYLOR
7 COLLEEN SEVOLD
8 LETTY FRIESEN
9 LAUREL BURKE

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11 TRANSCRIPT OF PROCEEDINGS, held in the
12 above-entitled matter, at the South Dakota State
13 Capitol, Room 412, 500 East Capitol Avenue, Pierre,
14 South Dakota, on the 26th day of October 2004,
15 commencing at 9:30 a.m.

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25 Reported By Cheri McComsey Wittler, RPR, CRR

1 CHAIRMAN SAHR: TC04-110 and we're
2 going to take this up at the same time as TC04-201
3 and we are on the record in TC04-110, In the matter
4 of the filing by Qwest Corporation of its notice of
5 modification to the statement of generally
6 available terms and conditions (SGAT) Exhibit B,
7 notice of Qwest's changes to its performance
8 assurance plan and motion for tier designation,
9 volume differentiated benchmark and measurement
10 stabilization period for the revised PID PO-20.

11 And the question today is shall the Commission
12 approve the QPAP as revised and modified, designate
13 a tier for PO-20, establish a low volume
14 differential benchmark for PO-20, and allow PO-20 a
15 measurement stabilization for no more than three
16 months with the implementation of each phase.

17 The next item we're taking up at the same time
18 is No. 5 under telecommunications, which is
19 TC04-201, In the matter of the filing by Qwest
20 Corporation of its notice of deletion of Exhibit
21 B-1 and modifications to Exhibit B of its statement
22 of generally available terms and conditions (SGAT)
23 and motion to modify the Qwest performance
24 assurance plan found in Exhibit K of its SGAT.

25 And the question today under this item is

1 shall the Commission approve the amendments to
2 Exhibit B and the QPAP.

3 With that being said, Qwest, would you care to
4 proceed?

5 MS. THOMPSON: Mr. Chairman, my name
6 is Melissa Thompson, and I'm here on behalf of
7 Qwest Corporation. On line with us today is Laurel
8 Burke, also an attorney in our office who works
9 specifically on these matters, and she's available
10 to answer any questions the Commission may have
11 with respect to this.

12 CHAIRMAN SAHR: Thank you very much.
13 Ms. Burke, did you want to make a statement, or did
14 you just want to answer questions if we have them?

15 MS. BURKE: I'd be happy to answer
16 questions if you have them.

17 CHAIRMAN SAHR: Thank you. Is
18 anyone else appearing on this Docket? Any other
19 party Intervener?

20 Seeing none, then I will go to staff.

21 MS. CREMER: Harlan, did you get
22 your question answered you were going to ask
23 Ms. Thompson?

24 MR. BEST: Ms. Burke might know the
25 answer.

1 MS. CREMER: One of the questions
2 staff had, had to do with the website. You said
3 the information would be posted on the website.
4 And we couldn't find it. Has that been posted out
5 there yet?

6 MS. BURKE: Which information?

7 MS. CREMER: It had to do with the
8 payment schedule, I believe. I'm trying to think
9 of where I saw that. For all of the states.

10 MS. BURKE: Routinely the different
11 reports that are statewide reports, is that what
12 you're referring to?

13 MS. CREMER: It says on page 2 of
14 the 201 filing under II and then cap letter A as
15 part of the stipulation Qwest agreed to publish on
16 its website beginning with September 2004
17 performance data, a state payment report by major
18 PID category similar to the one Qwest currently
19 files with the Commission.

20 We couldn't find that on the website, and I
21 was just wondering if that had happened.

22 MS. BURKE: It has happened. It's
23 the second PAP on the state report. It's the
24 aggregate report. I'd be happy to send you that
25 link, if you'd like.

1 MS. CREMER: Okay. That would be
2 fine.

3 MS. BURKE: Okay. We'll take care
4 of that then.

5 MS. WIEST: This is Rolayne Wiest,
6 and I just had a couple of questions perhaps. In
7 110 I know when you're talking about the
8 designation of a tier for a PO-20, I believe that
9 in the 110 Docket you requested that it be low and
10 it appeared to me, if I'm reading it right, in 201
11 you changed that to a medium designation. Is that
12 correct?

13 MS. BURKE: That's correct. We came
14 to an agreement with CLECs in the other states that
15 that would be an appropriate compromise position.

16 MS. WIEST: So today I guess my
17 question with 110 is when we're designating that
18 tier instead of doing what you requested in 110,
19 which is designating it as low, you would request
20 that in 110 that it be designated as medium; is
21 that correct?

22 MS. BURKE: Correct.

23 MS. WIEST: My other question is
24 with respect to tier 2 I believe you stated that
25 the parties agreed on the tier 1 designation, and

1 then there would be no tier 2 assignment and in
2 Washington staff was taking that issue forward.

3 What happened in any of the other states? Did
4 they assign a tier 2 designation for this PO-20?

5 MS. BURKE: Each state has looked at
6 it and rules have not assigned -- like Utah did not
7 assign. However, we're in a six-month review in
8 Arizona. I believe that the staff is not going to
9 go forward with the tier 2 designation. As I
10 recall, none of the other states have commented.

11 CHAIRMAN SAHR: I would ask the
12 conference call participants if they would please
13 try to keep the background noise to a minimum.
14 We're picking up some conversation and noise from
15 somebody's line. Thanks.

16 MS. WIEST: Then I would just state
17 that with the change to the 110, changing it from
18 their original request of low back to medium, that
19 I think the Commission could approve TC04-110 and
20 TC04-201.

21 MS. BURKE: Thank you.

22 CHAIRMAN SAHR: Thank you.
23 Ms. Wiest, just for the record, you may want to
24 identify whether you're acting as staff attorney or
25 General Counsel.

1 MS. WIEST: I was acting as General
2 Counsel on this case, wasn't I? Yes. It's the
3 next one.

4 CHAIRMAN SAHR: Any questions from
5 the Commissioners?

6 Seeing none, then I will move in TC04-110 that
7 we approve the QPAP as revised and modified,
8 designate a tier for a PO-20, establish a low
9 volume differentiated benchmark for PO-20 and allow
10 PO-20 measurement stabilization for no more than
11 three months with the implementation of each phase.

12 And in TC04-201 I will further move that the
13 Commission approve the amendments to Exhibit B and
14 the QPAP.

15 VICE CHAIR HANSON: Second.

16 COMMISSIONER BURG: I'll concur.

17 CHAIRMAN SAHR: Ms. Friesen, I just
18 want to make sure we have a complete record here.
19 Are you appearing on behalf of either one of those
20 Dockets?

21 MS. FRIESEN: No, Mr. Chairman. I'm
22 not. I'm here for -- I believe it is TC04-144.

23 CHAIRMAN SAHR: Thank you very much.
24 And that is the next Docket that we'll take up.
25

STATE OF SOUTH DAKOTA)

:SS

CERTIFICATE

COUNTY OF HUGHES)

I, CHERI MCCOMSEY WITTLER, a Registered Professional Reporter and Notary Public in and for the State of South Dakota:

DO HEREBY CERTIFY that as the duly-appointed shorthand reporter, I took in shorthand the proceedings had in the above-entitled matter on the 26th day of October 2004, and that the attached is a true and correct transcription of the proceedings so taken.

Dated at Pierre, South Dakota this 16th day of November 2004.

Cheri M. Wittler
Cheri McComsey Wittler,
Notary Public and
Registered Professional Reporter

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